

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

2. If the Company differs from the Applicant, give details of relationship:

\_\_\_\_\_

3. Indicate type of business organization of Company:

a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;

What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;

Type of Corporation? \_\_\_\_\_;

Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.

b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;

Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.

c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.

Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.

d. ☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_

\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.

2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.

a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase:  
\_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_



Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

TYPE OF EMPLOYMENT					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



## VERIFICATION

(If Applicant is a Partnership)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

<b>C. Machinery and Equipment Costs</b>		
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
<b>D. Furniture and Fixture Costs</b>		
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
<b>E. Working Capital Costs</b>		
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
<b>F. Professional Service Costs</b>		
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
<b>G. Other Costs</b>		
1.	_____	\$ _____
2.	_____	\$ _____
<b>H. Summary of Expenditures</b>		
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____



II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_
2. If the Company differs from the Applicant, give details of relationship:  
\_\_\_\_\_
3. Indicate type of business organization of Company:
  - a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;  
What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;  
Type of Corporation? \_\_\_\_\_;  
Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.
  - b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;  
Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.
  - c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.  
Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.
  - d. ☐ Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_  
\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING



D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.

2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.

a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase: \_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.  
b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.  
c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or



reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:



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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____



**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

# ULSTER COUNTY CAPITAL RESOURCE CORPORATION

## APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____



I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

2. If the Company differs from the Applicant, give details of relationship:

\_\_\_\_\_

3. Indicate type of business organization of Company:

a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;

What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;

Type of Corporation? \_\_\_\_\_;

Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.

b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;

Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.

c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.

Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.

d. ☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_

\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase: \_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.  
b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.  
c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:



- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.



B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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# VERIFICATION

(If Applicant is a Corporation)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**



THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

2. If the Company differs from the Applicant, give details of relationship:

\_\_\_\_\_

3. Indicate type of business organization of Company:

a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;

What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;

Type of Corporation? \_\_\_\_\_;

Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.

b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;

Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.

c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.

Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.

d. ☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_

\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase: \_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.  
b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.  
c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					



V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

<b>C. Machinery and Equipment Costs</b>		
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
<b>D. Furniture and Fixture Costs</b>		
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
<b>E. Working Capital Costs</b>		
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
<b>F. Professional Service Costs</b>		
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
<b>G. Other Costs</b>		
1.	_____	\$ _____
2.	_____	\$ _____
<b>H. Summary of Expenditures</b>		
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.



## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_
2. If the Company differs from the Applicant, give details of relationship:  
\_\_\_\_\_
3. Indicate type of business organization of Company:
  - a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;  
What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;  
Type of Corporation? \_\_\_\_\_;  
Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.
  - b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;  
Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.
  - c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.  
Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.
  - d. ☐ Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_  
\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

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2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase:  
\_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_



Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

TYPE OF EMPLOYMENT					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the “Corporation”) to prepare a Cost/Benefit Analysis for a proposed project (the “Project”), the Applicant must answer the questions contained in this Project Questionnaire (the “Questionnaire”) and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary (“Company”):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____



II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

2. If the Company differs from the Applicant, give details of relationship:

\_\_\_\_\_

3. Indicate type of business organization of Company:

a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;

What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;

Type of Corporation? \_\_\_\_\_;

Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.

b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;

Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.

c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.

Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.

d. ☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_

\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING



D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase:  
\_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or



reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:



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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

<b>C. Machinery and Equipment Costs</b>		
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
<b>D. Furniture and Fixture Costs</b>		
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
<b>E. Working Capital Costs</b>		
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
<b>F. Professional Service Costs</b>		
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
<b>G. Other Costs</b>		
1.	_____	\$ _____
2.	_____	\$ _____
<b>H. Summary of Expenditures</b>		
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____



**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail. The Business or Project Plan must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____



I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_
2. If the Company differs from the Applicant, give details of relationship:  
\_\_\_\_\_
3. Indicate type of business organization of Company:
  - a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;  
What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;  
Type of Corporation? \_\_\_\_\_;  
Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.
  - b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;  
Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.
  - c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.  
Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.
  - d. ☐ Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_  
\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase: \_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.  
b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.  
c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:



- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.



B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**



THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

2. If the Company differs from the Applicant, give details of relationship:

\_\_\_\_\_

3. Indicate type of business organization of Company:

a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;

What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;

Type of Corporation? \_\_\_\_\_;

Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.

b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;

Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.

c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.

Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.

d. ☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_

\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase:  
\_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					



V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.



## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. **Identity of Company:**

1. Company Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

2. If the Company differs from the Applicant, give details of relationship:

\_\_\_\_\_

3. Indicate type of business organization of Company:

a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;

What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;

Type of Corporation? \_\_\_\_\_;

Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.

b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;

Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.

c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.

Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.

d. ☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_

\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

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2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase: \_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.  
b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.  
c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_



Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

TYPE OF EMPLOYMENT					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____



II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

2. If the Company differs from the Applicant, give details of relationship:

\_\_\_\_\_

3. Indicate type of business organization of Company:

a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;

What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;

Type of Corporation? \_\_\_\_\_;

Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.

b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;

Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.

c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.

Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.

d. ☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_

\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING



D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase: \_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.  
b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.  
c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or



reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:



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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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# VERIFICATION

(If Applicant is a Corporation)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____



**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____



I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_
2. If the Company differs from the Applicant, give details of relationship:  
\_\_\_\_\_
3. Indicate type of business organization of Company:
  - a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;  
What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;  
Type of Corporation? \_\_\_\_\_;  
Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.
  - b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;  
Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.
  - c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.  
Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.
  - d. ☐ Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_  
\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase:  
\_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:



- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.



B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

<b>C. Machinery and Equipment Costs</b>		
1. Production and process equipment		\$ _____
2. Packaging equipment		\$ _____
3. Warehousing equipment		\$ _____
4. Installation costs for various equipment		\$ _____
5. Other equipment-related costs (describe)		\$ _____
<b>D. Furniture and Fixture Costs</b>		
1. Office furniture		\$ _____
2. Office equipment		\$ _____
3. Computers		\$ _____
4. Other furniture-related costs (describe)		\$ _____
<b>E. Working Capital Costs</b>		
1. Operation costs		\$ _____
2. Production costs		\$ _____
3. Raw materials		\$ _____
4. Debt service		\$ _____
5. Relocation costs		\$ _____
6. Skills training		\$ _____
7. Other working capital-related costs (describe)		\$ _____
<b>F. Professional Service Costs</b>		
1. Architecture and engineering		\$ _____
2. Accounting/legal		\$ _____
3. Other service-related costs (describe)		\$ _____
<b>G. Other Costs</b>		
1. _____		\$ _____
2. _____		\$ _____
<b>H. Summary of Expenditures</b>		
1. Total Land Related Costs		\$ _____
2. Total Building Related Costs		\$ _____
3. Total Machinery and Equipment Costs		\$ _____
4. Total Furniture and Fixture Costs		\$ _____
5. Total Working Capital Costs		\$ _____
6. Total Professional Service Costs		\$ _____
7. Total Other Costs		\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**



THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_
2. If the Company differs from the Applicant, give details of relationship:  
\_\_\_\_\_
3. Indicate type of business organization of Company:
  - a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;  
What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;  
Type of Corporation? \_\_\_\_\_;  
Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.
  - b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;  
Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.
  - c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.  
Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.
  - d. ☐ Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_  
\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase:  
\_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					



V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.



## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_
2. If the Company differs from the Applicant, give details of relationship:  
\_\_\_\_\_
3. Indicate type of business organization of Company:
  - a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;  
What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;  
Type of Corporation? \_\_\_\_\_;  
Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.
  - b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;  
Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.
  - c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.  
Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.
  - d. ☐ Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_  
\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase:  
\_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_  
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.  
Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_



Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.
  - a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
  - b. Mortgage Recording Taxes: \$ \_\_\_\_\_
  - c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_
4. Please list the affected taxing jurisdictions for the Project.
  - a. Village (if any): \_\_\_\_\_
  - b. Town: \_\_\_\_\_
  - c. City (if any): \_\_\_\_\_
  - d. School District: \_\_\_\_\_
6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public



## VERIFICATION

(If Applicant is a Partnership)

STATE OF                                 )  
  ) SS.:  
COUNTY OF                                 )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

<b>C. Machinery and Equipment Costs</b>		
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
<b>D. Furniture and Fixture Costs</b>		
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
<b>E. Working Capital Costs</b>		
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
<b>F. Professional Service Costs</b>		
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
<b>G. Other Costs</b>		
1.	_____	\$ _____
2.	_____	\$ _____
<b>H. Summary of Expenditures</b>		
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____



II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____

I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

2. If the Company differs from the Applicant, give details of relationship:

\_\_\_\_\_

3. Indicate type of business organization of Company:

a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;

What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;

Type of Corporation? \_\_\_\_\_;

Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.

b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;

Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.

c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.

Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.

d. ☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_

\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING



D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase:  
\_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.
- b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.
- c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or



reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

<b>TYPE OF EMPLOYMENT</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.

- a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
- b. Mortgage Recording Taxes: \$ \_\_\_\_\_
- c. Other (please specify):  
\_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

4. Please list the affected taxing jurisdictions for the Project.

- a. Village (if any): \_\_\_\_\_
- b. Town: \_\_\_\_\_
- c. City (if any): \_\_\_\_\_
- d. School District: \_\_\_\_\_

6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:

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- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:



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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                                 )  
  ) SS.:  
COUNTY OF                                 )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____



**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.

## ULSTER COUNTY CAPITAL RESOURCE CORPORATION

### APPLICATION FOR INDUSTRIAL REVENUE BOND FINANCING

**IMPORTANT NOTICE:** The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from Ulster County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.

TO: ULSTER COUNTY CAPITAL RESOURCE CORPORATION  
P.O. Box 4265  
Kingston, New York 12402-4265

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: \_\_\_\_\_

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

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**NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.**

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## **INSTRUCTIONS**

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
  2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
  3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
  4. If more space is needed to answer any specific question, attach a separate sheet.
  5. When completed, return two (2) copies of this application to the Corporation at the address indicated on the first page of this application.
  6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
  7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
  8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Corporation’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation. The costs incurred by the Corporation, including the Corporation’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
  9. The Corporation has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Corporation in processing this application. A check or money order made payable to the Corporation must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
- Post-Closing Modification/Amendment Transactions.** The amount of the administrative fee for Post-Closing Modification/Amendment Transactions shall be determined by the staff of the Corporation, with the review and approval by the Corporation. The minimum administrative fee for such transactions shall equal Five Hundred Dollars (\$500).
10. The Corporation has established a project fee for each project in which the Corporation participates. **UNLESS THE CORPORATION AGREES IN WRITING TO THE CONTRARY, THE PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO**

THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE CORPORATION. This project fee is equal to 1% of the **total project cost**. If there is no closing, there is no fee charged. By execution and delivery of this application the applicant agrees to pay the Corporation's project fee and the costs and expenses of the Corporation described in paragraph 8 above, including the fees and expenses of the Corporation's general counsel and bond counsel.

11. The Corporation requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant to include Balance Sheet, Net Worth Reconciliation and Profit and Loss Statements. Interim YTD as previous and current aging of Accounts Receivable and Accounts Payable. Earnings Projections/Pro Forma Financial Statements for the next 3 years. The Corporation reserves the right to reject any application, which fails to contain the foregoing information.

**12. Each application must be accompanied by a Business or Project Plan describing the project in detail.** The Business or Project Plan **must also address Section VI (c) of the application, Project Benefit Information.** Applicant must provide the Corporation with information by completing the Cost Benefit Analysis attached to the application so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.). **THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS ACCOMPANIED BY THE PROJECT BENEFIT INFORMATION DESCRIBED IN SECTION VI. (C).**

**\*\*\*\*\* FOR CORPORATION USE ONLY \*\*\*\*\***

1. Project Number	_____
2. Date application received by Corporation	_____, 20 ____
3. Date application referred to attorney for review	_____, 20 ____
4. Date copy of application mailed to members	_____, 20 ____
5. Date notice of Corporation meeting on application posted	_____, 20 ____
6. Date notice of Corporation meeting on application mailed	_____, 20 ____
7. Date of Corporation meeting on application	_____, 20 ____
8. Date Corporation conditionally approved application	_____, 20 ____
9. Date scheduled for public hearing	_____, 20 ____
10. Date Environmental Assessment Form (“EAF”) received	_____, 20 ____
11. Date Corporation completed environmental review	_____, 20 ____
12. Date of final approval of application	_____, 20 ____



I. **INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").**

A. Identity of Company:

1. Company Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
Town/City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_
2. If the Company differs from the Applicant, give details of relationship:  
\_\_\_\_\_
3. Indicate type of business organization of Company:
  - a. ☐ Corporation. If so, incorporated in what country? \_\_\_\_\_;  
What State? \_\_\_\_\_; Date Incorporated: \_\_\_\_\_;  
Type of Corporation? \_\_\_\_\_;  
Authorized to do business in New York? Yes \_\_\_\_; No \_\_\_\_.
  - b. ☐ Partnership. If so, indicate type of partnership: \_\_\_\_\_;  
Number of general partners \_\_\_\_; Number of limited partners \_\_\_\_.
  - c. ☐ Limited liability company. If so, formed in what state? \_\_\_\_\_.  
Date formed \_\_\_\_; Authorized to do business in New York? Yes \_\_\_\_ No \_\_\_\_.
  - d. ☐ Sole proprietorship.
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship: \_\_\_\_\_  
\_\_\_\_\_

B. Management of Company:

1. List all owners, officers, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_\_; No \_\_\_\_.
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_\_; No \_\_\_\_.
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes \_\_\_\_; No \_\_\_\_.
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. Is the Company publicly held? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please list exchanges where stocks are traded:

\_\_\_\_\_  
\_\_\_\_\_

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

D. Company's principal bank(s) of account:

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II. **DATA REGARDING PROPOSED PROJECT.**

A. Description of the Project: (Please provide a brief narrative description of the Project.)

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B. Location of the Project:

1. Street Address: \_\_\_\_\_
2. City of: \_\_\_\_\_
3. Town of: \_\_\_\_\_
4. Village of: \_\_\_\_\_
5. County of: \_\_\_\_\_

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: \_\_\_\_\_.  
Is a map, survey or sketch of the Project site attached? Yes \_\_\_\_; No \_\_\_\_.
2. Are there existing buildings on the Project site? Yes \_\_\_\_; No \_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: \_\_\_\_\_.  
Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

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- b. Are the existing buildings in operation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe present use of present buildings:

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- c. Are the existing buildings abandoned? Yes \_\_\_\_; No \_\_\_\_.  
About to be abandoned? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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3. Utilities serving the Project site:

Water-Municipal:	_____
Other (describe)	_____
Sewer-Municipal	_____
Other (describe)	_____
Electric-Utility	_____
Other (describe)	_____
Heat-Utility	_____
Other (describe)	_____

4. Present legal owner of the Project site:

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- a. If the Company owns the Project site, indicate date of purchase: \_\_\_\_\_, 20\_\_; purchase price \$\_\_\_\_\_.  
b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate date option signed with the owner: \_\_\_\_\_, 20\_\_; and the date the option expires: \_\_\_\_\_, 20\_\_.  
c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe:

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5. a. Zoning District in which the Project is located: \_\_\_\_\_.
- b. Are there any variances or special permits affecting the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, list below and attach copies of all such variances or special permits:

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D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate number and size of new buildings:

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

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E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes \_\_\_\_; No \_\_\_\_\_. If yes, describe the Equipment:

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

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F. Project Use:

1. What are the principal products to be produced at the Project?

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2. What are the principal activities to be conducted at the Project?

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3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? \_\_\_\_%.
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
- a. Will the Project be operated by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. Would the Project occupant, but for the contemplated financial assistance from the Corporation, locate the related jobs outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- e. Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a

census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:



- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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10. Will the Project be owned by a not-for-profit corporation? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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11. If the answer to question 10 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project a housing facility primarily designed to be occupied by individuals 60 years of age or older? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- b. Is the Project a dormitory for an educational institution? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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- c. Is the Project a facility as defined in Article 28 of the Public Health Law? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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12. If the answer to any of the questions contained in question 11 is yes, indicate whether the cost of the Project will exceed \$20 million. Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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13. Will the Project be sold or leased to a municipality? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide detail:

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition.

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition:

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate extent of construction or

reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:

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H. Agent Status (for sales tax purposes) (See also question B.3 in Part VI below):

1. If the Corporation approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Corporation upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Corporation, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as “agent” of the Corporation for purposes of undertaking the Project? Yes \_\_\_\_; No \_\_\_\_.
2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes \_\_\_\_; No \_\_\_\_.

III. **INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.**  
**(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY**  
**INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).**

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

2. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship:\_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

3. Sublessee Name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
Sublessee Is: \_\_\_\_ Corporation: \_\_\_\_ Partnership: \_\_\_\_ Sole Proprietorship: \_\_\_\_  
Relationship to Company: \_\_\_\_\_  
Percentage of Project to be leased or subleased: \_\_\_\_\_  
Use of Project intended by Sublessee: \_\_\_\_\_  
Date of lease or sublease to Sublessee: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

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- IV. **EMPLOYMENT IMPACT.** Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third years after the Project has been completed. Also, indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

TYPE OF EMPLOYMENT					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present (Retained) Full Time					
Present (Retained) Part Time					
Present (Retained) Seasonal					
First Year Full Time (only new jobs created)					
First Year Part Time (only new jobs created)					
First Year Seasonal (only new jobs created)					
Second Year Full Time (only new jobs created)					
Second Year Part Time (only new jobs created)					
Second Year Seasonal (only new jobs created)					
Third Year Full Time (only new jobs created)					
Third Year Part Time (only new jobs created)					
Third Year Seasonal (only new jobs created)					
Construction Jobs Created					

V. **PROJECT COST.**

- A. **Anticipated Project Costs.** State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<b><u>Description of Cost</u></b>	<b><u>Amount</u></b>
Land	\$ _____
Buildings	\$ _____
Machinery and equipment costs	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	\$ _____

- B. Have any of the above expenditures already been made by the applicant? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, indicate particulars.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. **FINANCIAL ASSISTANCE EXPECTED FROM THE CORPORATION.**

A. Financing.

1. Is the applicant requesting that the Corporation issue bonds to assist in financing the Project? Yes \_\_\_\_; No \_\_\_\_\_. If yes, indicate:
  - a. Amount of loan requested: \$ \_\_\_\_\_ Dollars; and
  - b. Maturity requested: \_\_\_\_\_ Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
  - a. Retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_\_
  - b. Automobile sales or service: Yes \_\_\_\_; No \_\_\_\_\_
  - c. Recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_\_
  - d. Golf course: Yes \_\_\_\_; No \_\_\_\_\_
  - e. County club: Yes \_\_\_\_; No \_\_\_\_\_
  - f. Massage parlor: Yes \_\_\_\_; No \_\_\_\_\_
  - g. Tennis club: Yes \_\_\_\_; No \_\_\_\_\_
  - h. Skating facility (including roller skating, skateboard and ice skating): Yes \_\_\_\_; No \_\_\_\_\_
  - i. Racquet sports facility: Yes \_\_\_\_; No \_\_\_\_\_
  - j. Handball and racquetball court: Yes \_\_\_\_; No \_\_\_\_\_
  - k. Hot tub facility: Yes \_\_\_\_; No \_\_\_\_\_
  - l. Suntan facility: Yes \_\_\_\_; No \_\_\_\_\_
  - m. Racetrack: Yes \_\_\_\_; No \_\_\_\_\_
  - n. Airplane: Yes \_\_\_\_; No \_\_\_\_\_
  - o. Skybox or private luxury box: Yes \_\_\_\_; No \_\_\_\_\_
  - p. Health club facility: Yes \_\_\_\_; No \_\_\_\_\_
  - q. Gambling: Yes \_\_\_\_; No \_\_\_\_\_
  - r. Sale of alcoholic beverages for consumption off premises: Yes \_\_\_\_; No \_\_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.



B. Tax Benefits.

1. Is the applicant expecting that the financing for the Project will be secured by one or more mortgages? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.
2. Is the applicant expecting to be appointed agent of the Corporation for the purpose of qualifying for exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_; No \_\_\_\_\_. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.
3. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.

- a. N.Y.S. Sales and Compensating Use Taxes: \$ \_\_\_\_\_
- b. Mortgage Recording Taxes: \$ \_\_\_\_\_
- c. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

4. Please list the affected taxing jurisdictions for the Project.

- a. Village (if any): \_\_\_\_\_
- b. Town: \_\_\_\_\_
- c. City (if any): \_\_\_\_\_
- d. School District: \_\_\_\_\_

6. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Corporation's Uniform Tax-exemption Policy? Yes \_\_\_\_; No \_\_\_\_\_. If yes, please explain how the request of the applicant differs from the Corporation's Uniform Tax-Exemption Policy:

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- C. Project Benefit Information. Provide the Corporation with information by completing the Cost/Benefit Analysis Worksheet located at Schedule A attached hereto so that the Corporation can assess the cost/benefit analysis of undertaking the Project. Such information should also consist of a list and detailed description of the benefits of the Corporation undertaking the Project (e.g., number of jobs

created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Corporation undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. **REPRESENTATIONS BY THE APPLICANT.** The applicant understands and agrees with the Corporation as follows:

- A. **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the “DOL”) and with the Ulster County Office of Employment and Training (collectively with the DOL, the “OET Entities”), the administrative entities of the service delivery area created by the federal job training partnership Act (Public Law 97-300) (the “OET Law”) in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed (including any tenants located in the Project), with the Corporation, on an annual basis, reports regarding the number of people employed at the project site.
- E. **Absence of Conflicts of Interest:** The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

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Applicant

By:

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Title:

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**NOTE: APPLICANT MUST COMPLETE THE VERIFICATION APPEARING ON PAGES 25 THROUGH 28 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 AND MUST COMPLETE THE PROJECT COST/BENEFIT ANALYSIS ATTACHED HERETO AS SCHEDULE A.**

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## VERIFICATION

(If Applicant is a Corporation)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Partnership)

STATE OF                                 )  
  ) SS.:  
COUNTY OF                                 )

\_\_\_\_\_, deposes and says that he is one  
(Name of individual)  
of the members of the firm of \_\_\_\_\_, the  
(Partnership name)

partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_  
(Partner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## VERIFICATION

(If Applicant is a Limited Liability Company)

STATE OF                    )  
                                  ) SS.:  
COUNTY OF                )

\_\_\_\_\_, deposes and says that he is the  
(Name of officer of applicant)

\_\_\_\_\_ of \_\_\_\_\_,  
(Title) (Company Name)

the Company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a limited liability company. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said company.

\_\_\_\_\_  
(Officer of applicant)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

VERIFICATION

(If Applicant Sole Proprietor)

STATE OF )  
 ) SS.:  
COUNTY OF )

\_\_\_\_\_, deposes and says that he has read  
(Name individual)

the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application

\_\_\_\_\_  
(Proprietor)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

## HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (A) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Corporation, (B) the Corporation's acquisition, construction, reconstruction and/or installation of the Project described therein and (C) any further action taken by the Corporation with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to reach final agreement with respect to the Project, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorney's fees, if any.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Title: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

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**NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 29 IS SIGNED BY THE APPLICANT.**  
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## SCHEDULE A

### **COST/BENEFIT ANALYSIS WORKSHEET**

In order for the Ulster County Capital Resource Corporation (the "Corporation") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

Since we need this Questionnaire to be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

### **PROJECT QUESTIONNAIRE**

1. Name of Project Beneficiary ("Company"):	
2. Brief Identification of the Project:	
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ _____
B. Value of Sales Tax Exemption Sought	\$ _____
C. Value of Real Property Tax Exemption Sought	\$ _____
D. Value of Mortgage Recording Tax Exemption Sought	\$ _____

### **PROJECTED PROJECT INVESTMENT**

A. Land-Related Costs	
1. Land acquisition	\$ _____
2. Site preparation	\$ _____
3. Landscaping	\$ _____
4. Utilities and infrastructure development	\$ _____
5. Access roads and parking development	\$ _____
6. Other land-related costs (describe)	\$ _____
B. Building-Related Costs	
1. Acquisition of existing structures	\$ _____
2. Renovation of existing structures	\$ _____
3. New construction costs	\$ _____
4. Electrical systems	\$ _____
5. Heating, ventilation and air conditioning	\$ _____
6. Plumbing	\$ _____
7. Other building-related costs (describe)	\$ _____

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$ _____
3.	Warehousing equipment	\$ _____
4.	Installation costs for various equipment	\$ _____
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land Related Costs	\$ _____
2.	Total Building Related Costs	\$ _____
3.	Total Machinery and Equipment Costs	\$ _____
4.	Total Furniture and Fixture Costs	\$ _____
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

I. Please provide estimates of total construction jobs at the Project:

Year	Construction Jobs (Annual wages and benefits \$40,000 and under)	Construction Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total existing permanent jobs to be preserved or retained as a result of the Project:

Year	Existing Jobs (Annual wages and benefits \$40,000 and under)	Existing Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

II. Please provide estimates of total new permanent jobs to be created at the Project:

Year	New Jobs (Annual wages and benefits \$40,000 and under)	New Jobs (Annual wages and benefits over \$40,000)
Current Year		
Year 1		
Year 2		
Year 3		
Year 4		
Year 5		

III. Please provide estimates of total annual wages and benefits of total permanent jobs at the Project:

Year	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	\$ _____	\$ _____
Year 1	\$ _____	\$ _____
Year 2	\$ _____	\$ _____
Year 3	\$ _____	\$ _____
Year 4	\$ _____	\$ _____
Year 5	\$ _____	\$ _____

IV. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

**PROJECTED OPERATING IMPACT**

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 <sup>st</sup> year following project completion)	\$ _____
Additional Sales Tax Paid on Additional Purchases	\$ _____
Estimated Additional Sales (1 <sup>st</sup> full year following project completion)	\$ _____
Estimated Additional Sales Tax to be collected on additional sales (1 <sup>st</sup> full year following project completion)	\$ _____

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes	New Pilot Payments	Total
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide estimates for the impact of other economic benefits expected to be produced as a result of the Project:

### CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge, such responses are true, correct and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Corporation in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Corporation of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

<b>Date Signed:</b> _____, 200_.	<b>Name of Person Completing Project Questionnaire on behalf of the Company.</b>  Name: _____ Title: _____ Phone Number: _____  <b>Signature:</b> _____
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## SCHEDULE A

## CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

Should you need additional space, please attach a separate sheet.